

IN THE CLAIMS:

1. (Previously Presented) A method, comprising:
preparing a network under test for testing;
establishing a static Internet Protocol (IP) routing path for a session to be tested;
sending, by a packet generator at a first end of the static IP routing path, a constant stream of packets through the network under test;
counting a number of packets received by a packet count unit at a second end of the static IP routing path, where the counting is performed without examining the contents of a received packet;
and
establishing a peak performance rate as the highest rate at which packets can be sent from the packet generator to the packet count unit with no packet dropout.
- 2-4. (Cancelled)
5. (Previously Presented) The method of claim 1, where sending a constant stream of packets includes sending a constant stream of packets over an OC-3 level network.
6. (Previously Presented) The method of claim 1, where sending a constant stream of packets includes sending the constant stream of packets over an OC-12 level network.
7. (Currently Amended) ~~A program storage device readable by a machine, tangibly embodying a program of instructions executable by the machine to perform~~ non-transitory computer readable medium storing a program, which, when executed on a processor performs a method for measuring the performance of a scalable network, said method comprising:
establishing a static Internet Protocol routing path between a packet sender and a packet receiver for a session to be tested;
sending, by the packet sender, a constant stream of packets to the packet receiver;

counting, at the packet receiver, the number of packets received at the packet receiver, where the counting is performed without examining the contents of a received packet; and

establishing a peak performance rate as the highest rate at which packets are received at the packet receiver with no packet dropout.

8-12. (Cancelled)

13. (Previously Presented) An apparatus for measuring the performance of a scalable network comprising:

means for preparing the network for testing;

means for establishing a routing path for a session to be tested wherein said routing path is a static IP route having a server at a first end of said route and a client node at a second end of said route;

means in a server for sending a constant stream of packets to a client node;

means in said client node for counting said packets received by said client node; and

means for establishing a peak performance rate as the highest rate with no packet dropout.

14-18. (Cancelled)

19. (Previously Presented) A system for measuring the performance of a scalable network comprising:

a packet generator in a source node at a first end of a static IP route for providing test packets to a network under test;

a packet count unit in a client node at a second end of said static IP route for counting test packets received by said client node from said network under test; and

wherein said test packets are provided in a constant stream to said network under test and wherein a peak performance rate of said network under test is established as the maximum receive rate at a particular packet size with no packet dropout.

20-24. (Cancelled)

25. (Original) The system of claim 20, wherein said network under test includes two Fast Ethernet pathways.

26. (Currently Amended) The system of claim ~~[[21]]~~ 20, wherein said network under test includes eight Fast Ethernet pathways.

27. (Currently Amended) The system of claim ~~[[21]]~~ 20, wherein said network under test includes at least two Gigabit Ethernet pathways.

28. (Currently Amended) The system of claim ~~[[21]]~~ 20, wherein said network under test includes four OC-3 pathways.

29. (Original) The system of claim 19, wherein said packet generator is configured using Pagent software.

30. (Original) The system of claim 19, wherein said system is configured to download a test configuration file from a TFTP server.